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PATENT  
Attorney Docket No.: 18941H-002911US  
Client Ref. No.: B98-006-3

TOWNSEND and TOWNSEND and CREW LLP

By:



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

GOODMAN et al.

Application No.: 10/826,812

Filed: April 16, 2004

For: ROBO: A NOVEL FAMILY OF  
POLYPEPTIDES AND NUCLEIC  
ACIDS

Customer No.: 20350

Confirmation No. 1573

Examiner: Olga N. Chernyshev, Ph.D.

Technology Center/Art Unit: 1649

**SUPPLEMENTAL RESPONSE**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Supplemental to Applicants' August 15, 2007 response to the Office Action  
mailed February 12, 2007, and further to the supplemental response filed October 12, 2007,  
please enter the following remarks.

Applicants submit herewith a Declaration under 37 C.F.R. § 1.131 by the inventors that provides evidence that the invention was made in the United States prior to April 18, 1997. The Declaration has been executed by three of the four inventors. Applicants are in the process of obtaining a signed Declaration from the fourth inventor.

In the Declaration, the inventors state that they obtained the sequence of the extracellular domain of human Robo-1 as set forth in the specification before April 18, 1997. Exhibits showing the protein sequence and providing evidence that the sequence was obtained prior to April 18, 1997 are also provided with the Declaration. The Declaration establishes that

the basic inventive concept of the claimed invention was conceived of and reduced to practice prior to April 18, 1997. Withdrawal of the outstanding rejection under 35 U.S. C. 102(e) is therefore respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 415-576-0200.

Respectfully submitted,

Jean M. Lockyer  
Reg. No. 44,879

TOWNSEND and TOWNSEND and CREW LLP  
Two Embarcadero Center, Eighth Floor  
San Francisco, California 94111-3834  
Tel: 415-576-0200  
Fax: 415-576-0300  
JML:jml  
61223778 v1